

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2003-688

October 6, 2003

BETTY PERHAM
Appeal of Consumer Assistance Division
Decision #2003-15537 Regarding Central
Maine Power Company

ORDER

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

I. SUMMARY

In this Order, we uphold the Consumer Assistance Division's decision in a dispute between Central Maine Power Company (CMP) and its customer, Betty Perham.

II. BACKGROUND

On March 24, 2003, Mrs. Perham contacted CMP about lights flickering in her house. CMP dispatched a technician who found no problem with the circuit but who noticed that the meter entrance was heavily corroded. According to CMP, the technician left a note on Mrs. Perham's door advising her to contact an electrician due to the condition of the meter enclosure.

Mrs. Perham had problems with her furnace in June and contacted an electrician. She needed major repairs to her home electrical system due to the corrosion. In addition to the electrical repairs, some appliances were ruined and her furnace needed repairs caused by the fluctuations in current.

On July 24, 2003, Mrs. Perham contacted CAD. She complained about CMP's policy of leaving a note on her door and not contacting her personally about the corroded meter enclosure. She claims she never received the note (and that she believes she and her husband were at home at the time of the technician's visit) and that CMP should have contacted her directly by phone or letter.

CAD issued its decision on August 14, 2003. CAD found that CMP, by leaving a note on Mrs. Perham's door after it found no problem with CMP's equipment, did not violate Commission requirements or its own terms and conditions. Mrs. Perham then appealed CAD's decision to the Commission. She again claims she did not receive the note and that it was negligent of CMP not to contact her directly. She also attached a letter from her electrician which describes the problems he repaired. He expresses the opinion that CMP's system of informing a customer that they should contact an electrician by leaving a note should be modified because, in this case, Mrs. Perham apparently never received the note. He also states that when she finally learned of the

problem in June she immediately scheduled the electrical repair and was quite concerned about both her home and personal safety.

III. DECISION

After reviewing the information provided by both CMP and Mrs. Perham, we uphold the decision of CAD. Mrs. Perham called CMP on March 24 about flickering lights and CMP sent out a technician that day. After finding no problem with CMP's equipment, the technician left a note for her to contact an electrician after observing that the enclosure around the meter was corroded. The meter enclosure is the responsibility of the customer. The technician did not know the extent of any electrical problem inside the home. While we agree that it would have been preferable if CMP followed up with a call or letter, such follow-up is not required. We further note that Mrs. Perham easily could have called CMP to find out the result of its March 24 visit. She apparently did not. Although we uphold CAD's decision, we emphasize that CMP should continue to either discuss such an issue with the customer if the customer is at home or to leave a note in a secure place where it will be found by the customer.¹

Dated at Augusta, Maine, this 6th day of October, 2003.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
Diamond
Reishus

¹ We also remind CMP that it should keep contemporaneous records that indicate what activities were taken in response to a customer call. CMP's records from March 24, 2003 indicate that the technician visited, that the trouble was inside the home and that the meter enclosure was taking on water. The notes do not indicate that the technician left a note for the customer. In investigating a subsequent insurance claim in June, the technician informed CMP's claims representative that he had left a note.

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.